

Exhibit A

CERTIFIED MAIL RECEIPT # 7007 0220 0001 1109 8730

Washington Mutual Card Services Billing Disputes
P.O. Box 9016
Pleasanton, CA 94566-9016

November 13, 2007

**RE NOTICE AND DEMAND FOR VALIDATION AND ADEQUATE ASSURANCE
OF PERFORMANCE – Boyd Dungan, ACCOUNT # 4185 8604 1912 5402**

Dear Sir/Madame:

I recently received your recent unsigned communication. Please regard this letter as a formal written Notice and Demand to Washington Mutual for validation and adequate assurance of performance with respect to the above listed account.

In preparation for this Notice and Demand, I have conducted a full and complete investigation into this matter, and I am of the opinion that Washington Mutual may be in breach of the terms and conditions of the Credit Card Agreement, by its failure to provide either adequate and valuable consideration, or full disclosure of the material terms and conditions of the alleged original agreement, including the nature and extent of any finance charges assessed on the above account. In addition, I have reason to believe that your company has failed to properly credit me for all revenues received by you related to this account. In the event that the application or other evidence of this account was monetized, securitized and/or sold, please provide me with certified copies of all underlying documentation regarding said transactions.

This Notice and Demand should not be perceived as a refusal to pay any valid debt. However, I have questions regarding the validity of the debt you are alleging in the attached billing statement, and in order to determine the validity of your presentment, and continue payment on the above-listed account, I will require certain information to confirm your claim in this matter. To that end, please forward the attached affidavit to the appropriate person in your organization for review and execution. Upon receipt of the signed, sworn affidavit, I will arrange for payments to resume on the above noted account. In the event that you are unable or unwilling to provide me adequate assurance of performance on this account, please send me a billing statement or other communication indicating a zero balance due on the account.

Please restrict all communications with me regarding this matter to writing, and understand that all communications, acts or omissions may be used in litigation, including the filing of grievances and the initiation of investigations at the Federal Trade Commission and other government bodies regarding your non-compliance with the Fair Credit Reporting Act, Fair and Accurate Credit Transaction Act of 2003, and other state and federal consumer protection laws. Your failure to respond to this Notice and Demand within thirty (30) days will be construed as a waiver of any and all claims regarding the above-listed account, and will act as a confirmation that no further action will be taken on your part with respect to the subject account. Please also take notice that during the pendency of this dispute, no further payments will be made on the account, and the account cannot be sold, assigned, forwarded or otherwise transferred for purposes of the collection of a debt.


Respectfully,

Boyd Dungan

Exhibit A

Exhibit B

Washington Mutual Acct. # 4185860419125402

#1	08-29-08	02:49 pm	888-274-9847	recording on voice mail
				audio recorded, file name: MRS Wash Mut 082908 0249pm
#2	09-05-08	08:59 am	888-274-9847	Ms. Vaughan
				MRS acct# 12231330
				audio recorded, file name: MRS Wash Mut 090508 0859am
#3	09-06-08	09:37 am	888-274-9847	call from, no message left
#4	09-07-08	06:10 pm	888-274-9847	Ms. Jackson, Ms. Ballinger
				audio recorded, file name: MRS Wash Mut 090708 0610pm
#5	09-08-08	12:32 pm	888-274-9847	Angela
				audio recorded, file name: MRS Wash Mut 090808 1232pm
#6	09-09-08	10:02 am	888-274-9847	Ms. Barnett
				audio recorded, file name: MRS Wash Mut 090908 1002am
#7	09-14-08	04:32 pm	888-274-9847	call from, no message left
#8	09-15-08	09:09 am	888-274-9847	call from, no message left
#9	09-17-08	08:41 am	888-274-9847	call from, no message left
#10	09-18-08	08:56 am	888-274-9847	Ms. Jackson
				audio recorded, file name: MRS Wash Mut 091808 0856am
#11	09-19-08	11:16 am	888-274-9847	Mr. Fields
				audio recorded, file name: MRS Wash Mut 091908 1116am
#12	09-21-08	05:24 pm	888-274-9847	hang up
				audio recorded, file name: MRS Wash Mut 092108 0524pm
#13	09-22-08	12:52 pm	888-274-9847	Peter
				audio recorded, file name: MRS Wash Mut 092208 1252pm
#14	09-23-08	11:30 am	888-274-9847	Mr. Turner
				audio recorded, file name: MRS Wash Mut 092308 1135am
#15	09-24-08	08:54 am	888-274-9847	call from, no message left
#16	09-25-08	08:57 am	888-274-9847	call from, no message left
#17	09-25-08	12:54 pm	888-274-9847	call from, no message left

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#18	09-26-08	12:54 pm	888-274-9847	Ms. Barnett audio recorded, file name: MRS Wash Mut 092608 1254pm
#19	09-27-08	08:44 am	888-274-9847	Ms. Adams audio recorded, file name: MRS Wash Mut 092708 0844am
#20	09-29-08	09:25 am	888-274-9847	hang up
#21	09-30-08	10:21 am	888-274-9847	Mr. Fields audio recorded, file name: MRS Wash Mut 093008 1021am
#22	10-02-08	01 :13 pm	888-274-9847	hang up
#23	10-03-08	09:15 am	888-274-9847	call from, no message left
#24	10-03-08	11:38 am	888-274-9847	call from, no message left
#25	10-06-08	08:56 am	888-274-9847	Ms. Wrigley, on voice mail audio recorded, file name: MRS Wash Mut 100608 0856am
#26	10-07-08	09:06 am	888-274-9847	Janeece audio recorded, file name: MRS Wash Mut 100708 0906am
#27	10-08-08	03:58 pm	888-274-9847	hang up
#28	10-09-08	04:15 pm	888-274-9847	hang up
#29	10-10-08	12:58 pm	888-274-9847	call from, no message left
#30	10-10-08	04:44 pm	888-274-9847	call from, no message left
#31	10-11-08	10:13 am	888-274-9847	call from, no message left
#32	10-12-08	06:32 pm	888-274-9847	Mr. Turner, Danielle audio recorded, file name: MRS Wash Mut 101208 0632pm
#33	10-13-08	12:57 pm	888-274-9847	Mr. Turner audio recorded, file name: MRS Wash Mut 101308 1257pm
#34	10-14-08	01 :21 pm	888-274-9847	call from, no message left
#35	10-15-08	09:47 am	888-274-9847	hang up
#36	10-17-08	09:34 am	888-274-9847	hang up
#37	10-20-08	04:05 pm	888-274-9847	call from, no message left
#38	10-21-08	10:13 am	888-274-9847	hang up
#39	10-22-08	12:34 pm	888-274-9847	call from, no message left
#40	10-23-08	08:52 am	888-274-9847	call from, no message left

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synopsis mrs wm p. 3

#41	10-24-08	09:37 am	888-274-9847	call from, no message left
#42	10-24-08	01:53 pm	888-274-9847	call from, no message left

#43	10-27-08	08:35 am	888-274-9847	call from, no message left
#44	10-28-08	08:23 am	888-274-9847	call from, no message left
#45	10-29-08	09:28 am	888-274-9847	call from, no message left
#46	10-30-08	10:06 am	888-274-9847	call from, no message left
#47	10-30-08	02:27 pm	888-274-9847	call from, no message left
#48	10-31-08	08:16 am	888-274-9847	call from, no message left
#49	10-31-08	01:38 pm	888-274-9847	Ms. Smith audio recorded, file name: MRS Wash Mut 103108 0139pm
#50	11-03-08	09:49 am	888-274-9847	call from, no message left
#51	11-04-08	12:17 pm	888-274-9847	Brittany audio recorded, file name: MRS Wash Mut 110408 1221pm
#52	11-06-08	08:31 am	888-274-9847	call from, no message left
#53	11-07-08	08:08 am	888-274-9847	call from, no message left
#54	11-10-08	11:41 am	888-274-9847	call from, no message left
#55	11-10-08	04:02 pm	888-274-9847	call from, no message left
#56	11-14-08	02:15 pm	888-274-9847	call from, no message left
#57	11-20-08	08:36 am	888-274-9847	call from, no message left
#58	11-21-08	11:42 am	888-274-9847	Mr. Cooper audio recorded, file name: MRS Wash Mut 1121081142am
#59	11-23-08	08:14 am	888-274-9847	call from, no message left
#60	11-24-08	08:29 am	888-274-9847	call from, no message left
#61	11-24-08	11:49 am	888-274-9847	call from, no message left
#62	11-24-08	03:41 pm	888-274-9847	Ms. Miller audio recorded, file name: MRS Wash Mut 112408 0341 pm
#63	12-02-08	08:48 am	888-274-9847	Ms. Connor audio recorded, file name: MRS Wash Mut 120208 0848am
#64	12-04-08	09:29 am	888-274-9847	call from, no message left

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synopsis mrs wm p. 4

#65	12-05-08	08:13 am	888-274-9847	call from, no message left
#66	12-23-08	09:31 am	888-274-9847	call from, no message left

#67	12-26-08	01:04 pm	888-274-9847	call from, no message left
#68	12-29-08	12:47 pm	888-274-9847	call from, no message left
#69	12-29-08	05:11 pm	888-274-9847	call from, no message left
#70	12-30-08	12:13 pm	888-274-9847	call from, no message left
#71	01-05-09	05:19 pm	888-274-9847	call from, no message left
#72	01-06-09	12:15 pm	888-274-9847	call from, no message left
#73	01-07-09	10:37 am	888-274-9847	call from, no message left
#74	01-08-09	05:13 pm	888-274-9847	call from, no message left
#75	01-09-09	03:15 pm	888-274-9847	call from, no message left
#76	01-11-09	04:16 pm	888-274-9847	call from, no message left
#77	01-12-09	04:11 pm	888-274-9847	call from, no message left
#78	01-13-09	04:31 pm	888-274-9847	call from, no message left
#79	01-17-09	09:46 am	888-274-9847	call from, no message left
#80	01-19-09	12:25 pm	888-274-9847	call from, no message left
#81	01-19-09	01:52 pm	888-274-9847	call from, no message left
#82	01-20-09	09:11 am	888-274-9847	call from, no message left
#83	01-20-09	12:08 pm	888-274-9847	call from, no message left
#84	01-21-09	09:17 am	888-274-9847	call from, no message left
#85	01-22-09	10:31 am	888-274-9847	call from, no message left
#86	01-26-09	05:47 pm	888-274-9847	call from, no message left
#87	01-26-09	08:11 pm	888-274-9847	call from, no message left
#88	01-27-09	11:35am	888-274-9847	call from, no message left

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Exhibit C

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MRS Call Log (Detailed)

Washington Mutual acct # 4185 8604 1912 5402

CALL # 2

Date: 09-05-08 **Time:** 08:59 am

Company Name: MRS

Caller's Name: Ms. Vaughan

Caller's Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 090508 0859am

Statements made by Caller: Ms. Vaughan stated that she represented MRS & Associates and was calling regarding Washington Mutual account # 12231330. Ms. Vaughan stated they were about to make a decision regarding the account and wanted to know what i could do to resolve the matter. I informed her that i could not pay and she inquired why not. I reiterated that i could not pay and she said that was not good enough. She asked if i was refusing to cooperate with her office. I replied that i was not refusing to cooperate, i had answered her question and told her that i could not pay. She appeared to become upset at this and informed me that collection efforts would proceed.

How did this call make you feel? I felt like Ms. Vaughan was not listening to me and was trying to intimidate me.

Exhibit C

Exhibit D

CALL # 3

Date: 09-06-08 **Time:** 09:37 am

Company Name: MRS

Caller's Name: Called while not at home, no message left

Caller's Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: Didn't leave any message

How did this call make you feel: At this point i feel like they are harassing me.

Exhibit D

Exhibit E

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 4

Date: 09-07-08 **Time:** 06:10 pm

Company Name: MRS

Caller's Name: Ms. Jackson and Ms. Ballinger

Caller's Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 090708 0610pm

Statements made by Caller: Before Ms. Jackson identified herself she asked me to verify the last two digits of my SS#, which prompted me to ask with whom i was speaking. Ms. Jackson then stated her name, that she was with MRS Associates, and that she was calling on behalf of her client, Washington Mutual. Ms. Jackson asked how i could resolve the matter with regard to payment and offered several different payment options. At this point i informed Ms. Jackson that i could not pay. Ms. Jackson then asked if i was working and what my address was. When i declined to answer these questions she stated that she already had the information she was requesting, and once again asked how i could resolve this matter with regards to payment.

When i stated to Ms. Jackson yet again that i could not pay, a Ms. Ballinger came on the line and asked what i could do to resolve the matter. I informed Ms. Ballinger that i could not pay. Ms. Ballinger inquired if i was employed and i declined to answer the question. Ms. Ballinger then stated that her client LVNV Funding had given them the opportunity to try to work with me on the matter, but since i was uncooperative she would make the recommendation to her client to collect the balance in full with no payment arrangement or settlement to be offered. At this point Ms. Ballinger said she would give me twenty-four hours to come up with a settlement payment and if she didn't hear from me by then she would tell her client to do whatever they felt necessary to collect the balance. As a parting question Ms. Ballinger asked me to confirm my address.

How did this call make you feel? Now i feel like i am definitely being harassed. How many times am i going to have to answer the same question? I also feel like i am being ganged up on, as there were two callers going at me on this call. I also feel that i was being threatened and that the two ladies were trying to intimidate me. Also, i'm a little confused. Three different entities were named in this call: Washington Mutual, MRS Associates, and LVNV Funding. Who are these people actually working for???

Exhibit E

Exhibit F

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 5

Date: 09-08-08 **Time:** 12:32 pm

Company Name: MRS

Caller's Name: Angela

Caller's Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 090808 1232pm

Statements made by Caller: Angela asked repeatedly what i could do to resolve this matter and each time i responded by telling her that i could not pay. Angela asked if i was refusing to pay and i responded by saying that i wasn't refusing, i couldn't pay. Then she asked if i was working, to which i respectfully declined to answer. At this point Angela said she would send this back to "them" as a refusal to pay and they would proceed to collect the balance in full as they deemed necessary. As a parting statement Angela said, and i quote, "and calls will continue."

How did this call make you feel? This is nothing but pure, unadulterated harassment. Yesterday a Ms. Ballinger said she would give me twenty-four hours to resolve the matter but they are already calling back, continually asking the same question over and over again. And i am being threatened with more harassment as is evidenced by Angela's last statement that "calls will continue".

Exhibit F

Exhibit G

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 6

Date: 09-09-08 **Time:** 10:02 am

Company Name: MRS

Caller's Name: Ms. Barnett

Caller's Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 090908 1002am

Statements made by Caller: Nothing of note here, really. Ms. Barnett asked what i could pay on the account and i replied that i could not pay. I did ask Ms. Barnett what LVNV paid for the account and she said the settlement amount they were offering was pretty much what they paid for the account.

How did this call make you feel? Like i'm being harassed on a daily basis. And a little creeped out. I love the way the automated voice says my name at the initial greeting of the call. It sounds like Linda Blair got a job at MRS. Truly evil sounding.

Exhibit H

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 7

Today's Date: 09-14-08 **Time:** 04:32 pm

Company Name: MRS

Callers Name: Called but left no message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: Didn't leave message

How did this call make you feel? Wow, they went a couple whole days without calling.

CALL # 8

Today's Date: 09-15-08 **Time:** 09:09 am

Company Name: MRS

Callers Name: Called but left no message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: Didn't leave a message

How did this call make you feel? Here we go again

CALL # 9

Today's Date: 09-17-08 **Time:** 08:41 am

Company Name: MRS

Callers Name: Called but left no message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: Didn't leave a message

How did this call make you feel? What do they want now???

Exhibit H

Exhibit I

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 10

Today's Date: 09-18-08 **Time:** 08:56 am

Company Name: MRS

Callers Name: Ms. Jackson

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 091808 0856am

Statements made by Caller: Ms. Jackson claimed that she had never spoken with me before. I know there are a lot of people named Jackson, but this lady's voice sounded identical to the lady's voice that i spoke with a couple of weeks ago. (Reference MRS Call Log #4, audio file name MRS Wash Mut 090708 0610pm) After being told that i could not pay, Ms. Jackson insisted that i was refusing to cooperate. I stated that i was not refusing, i simply could not pay. At this point Ms. Jackson became obviously quite irritated.

How did this call make you feel? I'm still creeped out by the way the automated voice on the greeting message says my name- sounds like something out of The Exorcist. I fail to understand why Ms. Jackson would claim that we have never spoken before- what's to be gained by that? I am quite certain this is the same person i spoke with a couple of weeks ago. I also fail to understand why they keep harassing me. I've told them on numerous occasions that i can't pay. Do they really think that calling me repeatedly is going to change that???

Exhibit J

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 11

Today's Date: 09-19-08 **Time:** 11:16 am

Company Name: MRS

Callers Name: Mr. Fields

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 091908 1116am

Statements made by Caller: Mr. Fields asked me where i was currently residing and i declined to answer the question. Mr. Fields then stated that he was not going to banter with me or be combative, but then he proceeded to do both of those things. He stated that his question should obviously be answered, and that if i didn't want to answer he was going to terminate the call. Then he said he was going to count to five and if i hadn't answered his question by then he would terminate the call. After his brief and wholly unsuccessful attempt at some witty repartee, he did just that.

How did this call make you feel? This has got to be the most asinine call that i have gotten from these people to date. Is this guy mentally stable or does he need some medication? Can somebody please explain to me why he is counting? I decline to answer his question so he threatens to hang up on me. And this is meant to punish me how??? Good riddance, i wasn't much enjoying our conversation anyway!

Exhibit K

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 12

Today's Date: 09-21-08 **Time:** 05:24 pm

Company Name: MRS

Callers Name: Unidentified

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092108 0524pm

Statements made by Caller: The caller evidently couldn't hear me so he hung up.

How did this call make you feel? Whatever

Exhibit K

Exhibit L

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 13

Today's Date: 09-22-08 **Time:** 12:52 pm

Company Name: MRS

Callers Name: Peter

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092208 1252pm

Statements made by Caller: Pretty much the same old harassment routine.

How did this call make you feel? I'm getting tired of them calling everyday with the same old thing- kinda wish Mr. Fields would call me again. At least he was somewhat entertaining in an absurd sort of way.

Exhibit L

Exhibit M

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 14

Today's Date: 09-23-08 **Time:** 11:35 am

Company Name: MRS

Callers Name: Mr. Turner

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092308 1135am

Statements made by Caller: At first, for some unknown reason, Mr. Turner did not want to give me the account number he was calling about. Mr. turner asked if i was employed and i declined to answer the question. He said he would take that as a "yes", that i was working. Mr. Turner also stated that he would inform his client that i fraudulently opened the account without any intention of paying it back. In closing, Mr. Turner said that calls would continue.

How did this call make you feel? Just more harassment and threats of harassment.

Exhibit N

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 15

Today's Date: 09-24-08 **Time:** 08:54 am

Company Name: MRS

Callers Name: Didn't leave a message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: No message left

How did this call make you feel? Everyday, the same

CALL # 16

Today's Date: 09-25-08 **Time:** 08:57 am

Company Name: MRS

Callers Name: Didn't leave a message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: No message left

How did this call make you feel? Whatever

CALL # 17

Today's Date: 09-25-08 **Time:** 12:54 pm

Company Name: MRS

Callers Name: Didn't leave a message

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: No message left

How did this call make you feel? Hmmm. I'm becoming very special to them- they called twice in one day.

Exhibit N

Exhibit O

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 18

Today's Date: 09-26-08 **Time:** 12:54 pm

Company Name: MRS

Callers Name: Ms. Barnett

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092608 1254pm

Statements made by Caller: Nothing remarkable here-pretty much the same old thing. Ms. Barnett wanted to know how much i could pay and i informed her i couldn't. She stated that she was trying to work with me but she would have to mark this down as a refusal to pay.

How did this call make you feel? I really am getting tired of having the same conversation every day.

Exhibit P

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 19

Today's Date: 09-27-08 **Time:** 08:44 am

Company Name: MRS

Callers Name: Ms. Adams

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092708 0844am

Statements made by Caller: Same old thing- harassment
and the threat of continued harassment.

How did this call make you feel? Tired

Exhibit P

Exhibit Q

MRS Call Log (Detailed)

Washington Mutual acct # 4185 8604 1912 5402

CALL # 20

Today's Date: 09-29-08 **Time:** 09:25 am

Company Name: MRS

Callers Name: hang up

Callers Phone #: 888-274-9847

Audio Recorded: No

Audio File Name: N/A

Statements made by Caller: Evidently the caller
couldn't hear me on speaker phone (this happens
sometimes) and hung up.

How did this call make you feel? Oh well

Exhibit R

MRS Call Log (Detailed)
Washington Mutual acct # 4185 8604 1912 5402

CALL # 21

Today's Date: 09-30-08 **Time:** 10:21 am

Company Name: Mr. Fields

Callers Name: MRS

Callers Phone #: 888-274-9847

Audio Recorded: Yes

Audio File Name: MRS Wash Mut 092008 1021am

Statements made by Caller: Mr. Fields asked me what my current address was and when i declined to answer he started his five-second stuff again. I also noticed that at the beginning of the call Mr. Fields did not want to give me the account number. A couple of callers have been hesitant to do so. Is this an indication that in reality the account no longer exists?

How did this call make you feel? Actually, i was kind of disappointed in Mr. Fields this time. He wasn't nearly as absurd as the last time that i spoke with him.